

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Western District of Texas

12/01/16

United States of America

v.

Erika JARAMILLO

Case No.

3:16-M-4879-LS

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 11/30/2016 in the county of El Paso in the
Western District of Texas, the defendant(s) violated:

Code Section

21 USC 841 (a)(1)

Offense Description

possess with intent to distribute a quantity of Marijuana, to wit: approximately 47.05 kilograms (gross weight) of Marijuana, a Schedule I Controlled Substance;

21 USC 952 (a)

knowingly and intentionally import into the United States from the Republic of Mexico a quantity of Marijuana, to with; approximately 47.05 kilograms (gross weight) of Marijuana, a Schedule I Controlled Substance;

This criminal complaint is based on these facts:

See Affidavit

☒ Continued on the attached sheet.

Complainant's signature

David Aldana Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 12/01/2016

Judge's signature

City and state: El Paso, Texas

Leon Schydlower, U.S. Magistrate Judge

Printed name and title

Oath Telephonically Sworn
At 12:22 PM
Fed.R.Crim.P. 4.1(b)(2)(A)

AFFIDAVIT

On November 30, 2016, at approximately 9:10 p.m., Sonia Araceli CARDOZA and Erika JARAMILLO were seeking admission into the United States from the Republic of Mexico at the Paso Del Norte Port of Entry in El Paso, Texas. CARDOZA was the driver of a tan 2002 Ford Taurus bearing Texas license plate TWV380. JARAMILLO was the front passenger of the vehicle.

Customs and Border Protection Officer CBPO Cristina McBirnie was manning vehicle primary lane 1 at the Paso Del Norte Port of Entry in El Paso, Texas. A tan Ford Taurus approached her lane and CBPO McBirnie observed that CARDOZA was the driver and JARAMILLO in the front passenger. CBPO McBirnie began to question the two females and found their responses to be inconsistent. CBPO McBirnie also observed that CARDOZA was showing signs of nervousness during the primary inspection. CBPO McBirnie referred CARDOZA and JARAMILLO to secondary for further inspection.

CBPO Dominic Apodaca was assigned to primary lane 12 when CBPO Christina McBirnie request that he take a second declaration on a vehicle she referred to Secondary. CBPO D. Apodaca, was informed by CBPO C. McBirnie that the speaker box in the trunk of the vehicle was showing a high density reading. CBPO D. Apodaca, asked both the driver and passenger of the Ford Taurus to get out of the car. The driver of the vehicle was CARDOZA and the passenger was JARAMILLO. CBPO D. Apodaca, asked both of the subjects for their citizenship. Both CARDOZA and JARAMILLO responded that they were both Naturalized United States Citizens. CBPO D. Apodaca proceeded to take customs declaration from CARDOZA and JARAMILLO. They both advised that they had nothing to declare. Canine Officer Eude Arzate notified CBPO D. Apodaca that his dog, Meno, had alerted to the speaker box in the trunk of the tan Ford Taurus.

An intensive inspection of the vehicle resulted in the location of 91 wrapped bundles concealed within speaker box found in the trunk of the vehicle that CARDOZA and JARAMILLO were occupying. A random bundle was probed and a green leafy substance was extracted. The substance field tested positive for the properties of marijuana. Both subjects were escorted and detained in the Paso Del Norte Port of Entry Head House. The aggregate weight of the 91 bundles was 47.05 kilograms.

United States Homeland Security Investigations (HSI) Special Agents David Aldana and James Jefferson arrived at the Paso Del Norte Port of Entry and were briefed of the incident by the CBP Officers involved. JARAMILLO read aloud the Miranda Statement of Rights in the Spanish language. JARAMILLO acknowledged verbally and in writing that she understood her rights and decided to make a statement in the absence of an attorney.

JARAMILLO stated that she was offered an opportunity to make money by an acquaintance she only knew as "Shorty". Shorty told her that she and CARDOZA would go pick up a vehicle he left in Juarez, Mexico. Shorty told her that the vehicle was loaded

with marijuana. JARAMILLO said that she needed the money and that Shorty was going to pay her two hundred and fifty dollars.

JARAMILLO stated that about 6:00 pm, Shorty picked her up in her truck at the Valero gas station located at Cotton and Montana in El Paso, Texas. JARAMILLO stated that he had another male with him and they went to pick up CARDOZA at her place of employment. JARAMILLO stated that they picked up CARDOZA and then Shorty drove them to the Paso Del Norte Port of Entry.

JARAMILLO and CARDOZA were dropped off and proceeded to cross over the bridge into Juarez, Mexico. JARAMILLO then stated that they walked about three blocks into Juarez to get to where the vehicle was located. JARAMILLO stated that the keys were left on the driver side floor board. JARAMILLO said that they then proceeded to cross through the Paso Del Norte Port of Entry and where they were subsequently stopped and detained.

JARAMILLO stated that they were supposed to drive the vehicle to the intersection of Copia and Alameda in El Paso, Texas. They were going to leave the vehicle with the keys on the floor board and that they did not know who was going to pick up the vehicle.

JARAMILLO was asked if Shorty also goes by the alias "Piojo", and she stated that he was called by that name as well. The Agents investigation found that CARDOZA's boyfriend goes by the alias "Piojo". JARAMILLO stated that she did not know his real name.

JARAMILLO was placed under arrest and was remanded to the custody of the El Paso County Detention Facility.